#### A RESOLUTION BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1 WITH JOHNSON CONTROLS, INC. FOR FC-6006007928, MAINTENANCE AND SERVICE SUPPORT FOR PUBLIC SAFETY SYSTEM, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED \$1,385,000; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND, FDOA 5501 (AIRPORT REVENUE FUND) 180313 (AVIATION SECURITY) 5213001 (CONSULTING/PROFESSIONAL SERVICES, TECHNICAL) 7563000 (AIRPORT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") owns and operates Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, the City entered into Contract No. FC-6006007928 ("Agreement"), Maintenance and Service Support for Public Safety System, with Johnson Controls, Inc. ("Johnson Controls"), dated effective November 28, 2007; and

WHEREAS, the initial term of the Agreement was two years, with three one year renewal options, at the sole discretion of the City; and

WHEREAS, the initial term of Agreement will expire on November 27, 2009; and

WHEREAS, the Aviation General Manager and the Chief Procurement Officer have determined that it is desirable and in the City's best interests to renew the Agreement for an additional year and recommend the execution of Renewal Agreement No. 1 with Johnson Controls in an amount not to exceed 1,385,000; and

**WHEREAS**, \$807,917 of the total \$1,385,000 of Renewal Agreement No. 1 is appropriated in the Department of Aviation's (DOA) Fiscal Year 2009/2010 Budget and the remaining \$577,083 is anticipated to be appropriated in the DOA's Fiscal Year 2010/2011 Budget.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, RESOLVES that the Mayor is authorized to execute Renewal Agreement No. 1 with Johnson Controls renewing the Agreement for an initial one year period, commencing effective November 28, 2009, in an amount not to exceed \$1,385,000.

**BE IT FURTHER RESOLVED**, that Renewal Agreement No. 1 must contain the following contingencies:

1. Johnson Controls is only initially authorized to perform services under Renewal Agreement No. 1 through June 30, 2010, in an amount not to exceed \$807,917.

- 2. The continuation of Renewal Agreement No. 1 during the period from July 1, 2010, through November 27, 2010, is contingent upon an appropriation in the DOA Fiscal Year 2010/2011 Budget of funds in the amount of \$577,083 to fund the remainder of the Agreement's first year renewal term.
- 3. If such additional budgeted funds are authorized by appropriate legislative action, the Aviation General Manager or his designee will provide to Johnson Controls written notice that it is authorized to continue to provide services under the Agreement for the period from July 1, 2010, through November 27, 2010; and
- 4. If such additional budgeted funds are not authorized by appropriate legislative action on or before July 1, 2010, Renewal Agreement No. 1 and the provision of services under the Agreement will be suspended until such time that the funding is appropriated and the Aviation General Manager or his designee will provide Johnson Controls written notice of such suspension, as well as written notice of any subsequent appropriation.

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare Renewal Agreement No. 1 for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that all contracted services will be charged to and paid from FDOA 5501 (Airport Revenue Fund) 180313 (Aviation Security) 5213001 (Consulting/Professional Services, Technical) 7563000 (Airport).

**BE IT FINALLY RESOLVED**, that Renewal Agreement No. 1 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Johnson Controls.

# <u>Part II: Legislative White Paper:</u> (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:	
Committee of Purview:	
Caption:	
Council Meeting Date:	
Requesting Dept.:	
FAC Confirmed by:	

#### B. To be completed by the department:

## 1. Please provide a summary of the purpose of this legislation (Justification Statement).

Federal regulation requires the Department of Aviation to be responsive to incidents that would impact airport and aircraft operations, as well as the safety for the public. The City of Atlanta, as owner and operator of H-JAIA, must ensure compliance with federal regulations as directed by the Transportation Security Regulation Part 1542 - Airport Security and other applicable security requirements. Thus, the City of Atlanta entered into a contract with Johnson Controls, Inc, on November 28, 2007 to obtain Maintenance and Service Support for Public Safety Systems at H-JAIA.

The Public Safety System at H-JAIA is designed to meet these and other federal regulations, and the demands of the traveling public by providing a closed-circuit television system, emergency call boxes, automated external defibrillators and other systems. This renewal would ensure continuity of public safety system operations and ensure federal regulatory compliance. The base contract contains an initial (2) year agreement and (3) consecutive one (1) year renewal options. In November 2009, the City of Atlanta will have completed the 2<sup>nd</sup> year of the original contract.

In addition to the base contract, the City of Atlanta and TSA, executed an "Other Transaction Agreement" (OTA) for the Airport to assume installation, maintenance and operation responsibilities of the Closed Circuit Television System originally funded by TSA to provide greater surveillance of TSA Hold Baggage Screening and the Security Screening Checkpoint Areas. The additional scope of service will ensure the maintainability of the public safety system with the goal of continuous, uninterrupted operations. The Maintenance and Service Support for Public Safety Systems at H-JAIA with Johnson Controls Inc., includes a Configuration Management Plan that details how Johnson Controls Inc., will provide corrective and preventive maintenance, quarterly inventory updates and the installation of addition equipment and services as needed by the Department of Aviation.

### 2. Please provide background information regarding this legislation.

Johnson Controls, Inc. has adhered to the guidelines and provisions outlined in the contract at a satisfactory level. Its administrative and technical support team has displayed the level of cooperation and reliability required in a rapidly changing security environment. Its workforce understands its mission and provides sufficient customer service to the Department of Aviation and airport tenants.

A renewal for the first optional year under the scope of the current agreement would be in the best interest of the City of Atlanta and the Department of Aviation. This renewal shall not exceed \$1,385,000.00 annually, which includes the original scope and the additional scope of service related to the TSA Hold Baggage Screening project and TSA's Security Screening Checkpoint cameras. We recommend that the contract be executed as outlined in the proposed resolution to meet these and other required federal mandates.

3. <u>If A</u>	Applicable/Known:		
(a)	Contract Type (e.g. Professional Services, Construction Agreement, etc): Consulting/	Professiona	
(b)	Source Selection: N/A		
(c)	Bids/Proposals Due: N/A		
(d)	Invitations Issued: N/A		
(e)	Number of Bids: N/A		
(f)	Proposals Received: N/A		
(g)	Bidders/Proponents: N/A		
(h)	Term of Contract: 1 year		
4. Fun	nd Account Center (Ex. Name and number): 5213001 Consulting/Professional		
Fund:	5213001 Account: 180313 Center:		
5. Sou	urce of Funds: Example: Local Assistance Grant Revenue Fund		
6. Fis	cal Impact:		
Examp Center	ole: This legislation will result in a reduction in the amount of to Fund Account Number	;	
7. Meti	hod of Cost Recovery: N/A		
Examp	oles:		

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.

This Legislative Request Form Was Prepared By: Richard L. Duncan, CPP



Shirley Franklin Mayor

Benjamin R. DeCosta Aviation General Manager

Date: July 29, 2009

TO: Mr. Adam L. Smith

Chief Procurement Officer

From: Benjamin R. DeCosta

Aviation General Manager

2009.08.03 14:54:17 -

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SUBJECT: Contract FC-6006007928- Maintenance and Service Support for

Public Safety System - Johnson Controls, Inc. Recommendation for Contract Renewal

As you are aware, the City of Atlanta entered into Contract FC-6006007928, Maintenance and Service Support for Public Safety System with Johnson Controls, Inc., in November 2007.

The term of the Contract was for two (2) years with three (3) 1 year renewal options at the sole discretion of the City. The initial term expiration date is November 27, 2009. We will be exercising the first renewal option.

The Aviation General Manager has reviewed Johnson Control's performance under the Contract and is recommending to the City's Department of Procurement that the Contract be renewed for one year in accordance with the terms and conditions of the Contract.

A performance report for the Contract is attached.

If additional information is required, please contact Diane Akinsipe, Contracting Officer, at 404-209-2922.

Attachment



## TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE	ATTN: GREG PRIDGEON
Dept.'s Legislative Liaison: Anita Williams	
<b>Contact Number:</b> <u>404-530-6600</u>	
Originating Department: <u>Aviation</u>	
Committee(s) of Purview: Transportation	
Chief of Staff Deadline: 8/18/09	
Anticipated Committee Meeting Date(s): 9/02/	09
Anticipated Full Council Date: 9/08/09	
Commissioner Signature:	
Chief Procurement Officer Signature:	J. Smy/
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Received by Mayor's Office: / Receiv	v LC from CPO:
Submitted to Council: (date)	•